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# Indiana Register

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## Readopted Rules

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### TITLE 55 DEPARTMENT OF COMMERCE

LSA Document #01-239

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

55 IAC 1  
55 IAC 2  
55 IAC 3.1  
55 IAC 4

55 IAC 5  
55 IAC 6  
55 IAC 8

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

55 IAC 1 NEIGHBORHOOD ASSISTANCE CREDIT PROGRAM  
55 IAC 2 ENERGY DEVELOPMENT BOARD  
55 IAC 3.1 INDIANA RESIDENTIAL CONSERVATION SERVICE PROGRAM  
55 IAC 4 SOLAR ENERGY INCOME TAX CREDIT  
55 IAC 5 INDIANA DAIRY EXPORT CERTIFICATION PROGRAM  
55 IAC 6 INDIANA COMMERCIAL AND APARTMENT CONSERVATION SERVICE PROGRAM  
55 IAC 8 DEBARMENT PROCEDURE

#### **Notice of Public Hearing**

*Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on November 26, 2001 at 2:00 p.m., at One North Capitol, Suite 700, Indianapolis, Indiana the Department of Commerce will hold a public hearing to readopt rules.*

*Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:*

*Indiana Department of Commerce  
c/o Richard L. Rowley, General Counsel  
One North Capitol Avenue, Suite 700  
Indianapolis, Indiana 46204*

*Copies of these rules are now on file at the Indiana Department of Commerce, One North Capitol, Suite 700 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Richard L. Rowley  
General Counsel  
Indiana Department of Commerce

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### TITLE 58 ENTERPRISE ZONE BOARD

LSA Document #01-267

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

58 IAC 1  
58 IAC 2

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

58 IAC 1 INDIANA BUSINESS RELOCATION  
58 IAC 2 BUSINESS DISQUALIFICATION

#### **Notice of Public Hearing**

*Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on November 26, 2001 at 1:30 p.m., at One North Capitol, Suite 700, Indianapolis, Indiana the Enterprise Zone Board will hold a public hearing to readopt rules.*

*Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:*

*Indiana State Enterprise Zone Board  
c/o Richard L. Rowley, General Counsel  
One North Capitol Avenue, Suite 700  
Indianapolis, Indiana 46204*

*Copies of these rules are now on file at Department of Commerce, One North Capitol, Suite 700 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Richard L. Rowley  
General Counsel  
Indiana Department of Commerce

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### TITLE 60 OVERSIGHT COMMITTEE ON PUBLIC RECORDS

LSA Document #01-318

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

**60 IAC 1.1**  
**60 IAC 2**

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

- 60 IAC 1.1 GENERAL PROVISIONS
- 60 IAC 2 MICROFILMING STANDARDS FOR SOURCE DOCUMENTS WITH A RETENTION PERIOD OF MORE THAN FIFTEEN (15) YEARS

***Notice of Public Hearing***

*Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on November 27, 2001 at 10 a.m., at the Indiana Government Center-South, Arts Commission Conference Room, 402 West Washington Street, Room W072, Indianapolis, Indiana the Oversight Committee on Public Records will hold a public hearing to readopt rules.*

*Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:*

*Anne Mullin O'Connor  
Indiana Government Center-South  
402 West Washington Street, Room W074  
Indianapolis, Indiana 46204*

*Copies of these rules are now on file at the Commission on Public Records, Indiana Government Center-South, 402 West Washington Street, Room W472 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Anne Mullin O'Connor  
Member  
Oversight Committee on Public Records

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**TITLE 360 STATE SEED COMMISSIONER**

LSA Document #01-233

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

**360 IAC 1**

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING IS READOPTED:

- 360 IAC 1 STANDARDS FOR SEED AND SEED LABELING

***Notice of Public Hearing***

*Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on November 29, 2001 at 9:00 a.m., at Purdue University, 1154 Biochemistry, Room 151A, West Lafayette, Indiana the State Seed Commissioner will hold a public hearing to readopt rules.*

*Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:*

*Office of Indiana State Chemist and Seed Commissioner  
Purdue University  
1154 Biochemistry  
West Lafayette, Indiana 47907-1154*

*Copies of these rules are now on file at the Office of the State Seed Commissioner, Purdue University, 1154 Biochemistry Building, West Lafayette and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Larry W. Nees  
Seed Administrator  
State Seed Commissioner

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**TITLE 570 INDIANA COMMISSION ON PROPRIETARY EDUCATION**

LSA Document #01-285

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

**570 IAC 1**

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING IS READOPTED:

- 570 IAC 1 GENERAL PROVISIONS

***Notice of Public Hearing***

*Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on November 27, 2001 at 10:00 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room 4, Indianapolis, Indiana the Indiana Commission on Proprietary Education will hold a public hearing to readopt rules.*

*Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:*

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Indiana Commission on Proprietary Education  
Indiana Government Center-South  
302 West Washington Street  
Room E201  
Indianapolis, Indiana 46204.

Copies of these rules are now on file at the Indiana Government Center-South, 302 West Washington Street, Room E201 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Phillip H. Roush  
Commissioner  
Indiana Commission on Proprietary Education

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### TITLE 840 INDIANA STATE BOARD OF HEALTH FACILITY ADMINISTRATORS

LSA Document #01-242

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

<b>840 IAC 1-1-1</b>	<b>840 IAC 1-1-15</b>
<b>840 IAC 1-1-2</b>	<b>840 IAC 1-1-16</b>
<b>840 IAC 1-1-3</b>	<b>840 IAC 1-1-17</b>
<b>840 IAC 1-1-4</b>	<b>840 IAC 1-1-18</b>
<b>840 IAC 1-1-5</b>	<b>840 IAC 1-2-1</b>
<b>840 IAC 1-1-6</b>	<b>840 IAC 1-2-2</b>
<b>840 IAC 1-1-11</b>	<b>840 IAC 1-2-4</b>
<b>840 IAC 1-1-12</b>	<b>840 IAC 1-2-5</b>
<b>840 IAC 1-1-13</b>	<b>840 IAC 1-2-6</b>
<b>840 IAC 1-1-14</b>	<b>840 IAC 1-2-7</b>

SECTION 1. UNDER IC 4-22-2.5-3, 840 IAC 1-1-2 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

#### **840 IAC 1-1-2 Definitions**

Authority: IC 25-19-1-4  
Affected: IC 16-10-4-2; IC 25-19-1-2

Sec. 2. (a) Whenever used in ~~840 IAC 1-1-1~~, **this rule**, unless expressly otherwise stated, or unless the context or subject matter requires a different meaning, the following terms ~~shall have the respective meanings hereinafter set forth or indicated:~~ **apply throughout this rule:**

- (1) "H.F." means health facility.
- (2) "Practice of health facility administration" means the practice of the person designated by legal owner(s) of health facilities to perform any act or the making of any decision involved in the planning, organizing, developing, directing, and/or control of the operation of ~~a an~~ H.F.

- (3) "H.F.A." means health facility administrator.
- (4) "Preceptor" means a duly licensed H.F.A. **who has been approved by the board under section 17(a) of this rule to serve** in a teaching role who has the training, knowledge, professional activity, and a facility or organizational setting at their disposal to participate actively in the developing and refining of prospective H.F.A.s. This individual shall meet any and all criteria that may be established by the board.

- (5) "Administrator-in-training" ~~hereafter designated as or "A.I.T." is means~~ a person who ~~shall have~~ **has** registered with the board prior to commencing internship and who desires to become involved in a program of professional health care training. No person shall serve or act as an A.I.T. without being registered with the board, and shall meet any and all criteria that may be established by the board.

- (6) "A.I.T. program" means an internship of a continuous educational experience in ~~a an~~ H.F. approved by the board; such program to be administered under the supervision of a preceptor.

- (7) "Person" means a natural individual and does not include the terms firm, corporation, association, partnership, institution, public body, joint stock association, or any other group of individuals.

- (8) "Residential license" shall be one granting authority to administer ~~a an~~ H.F., licensed as a residential facility.

- (9) "Comprehensive license" shall be one granting authority to administer any or all categories of health facilities.

- (10) "Related health care administration" is defined as administration practiced in one (1) or more health related institutions. However, health care administration shall not mean:

- (A) the administration of services to an individual;
- (B) administrative services which do not have as a major component the supervision of more than one (1) profession or discipline; or
- (C) an administrative position in which the individual has not assumed direct responsibility for and is not held accountable for his own acts.

*(Indiana State Board of Health Facility Administrators; Rule 3; filed May 26, 1978, 9:09 a.m.: 1 IR 243; filed May 18, 1979, 9:02 a.m.: 2 IR 842; filed May 2, 1985, 10:33 a.m.: 8 IR 1146; filed Sep 29, 1987, 2:08 p.m.: 11 IR 792)*

SECTION 2. UNDER IC 4-22-2.5-3, 840 IAC 1-1-3 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

#### **840 IAC 1-1-3 License required; use of title and H.F.A. initials**

Authority: IC 25-19-1-4  
Affected: IC 25-19-1-5; IC 25-19-1-11

Sec. 3. ~~License Required:~~ (a) ~~After July 1, 1970~~ No H.F. in this state may operate unless it is under the supervision of ~~a an~~ H.F.A. who holds a current valid H.F.A. license issued by the board ~~pursuant to these rules:~~ **under this rule.**

(b) No person shall practice or offer to practice H.F. administration in this state or use any title, sign, card, or device to indicate that he is ~~a~~ **an** H.F.A. unless such person shall have been duly licensed as ~~a~~ **an** H.F.A. pursuant to the laws of this state and the rules of this board lawfully promulgated.

(c) A person, not licensed as ~~a~~ **an** H.F.A., shall not use the title "Assistant H.F. Administrator", inasmuch as the employment of this title constitutes a fraudulent inducement to the public to rely on the expertise implied by the term "administrator" and is in violation of Indiana law. The designations "assistant-to-the-administrator" and "administrative assistant" can serve the same purpose and be in compliance with the law.

(d) A person licensed as ~~a~~ **an** H.F.A. in Indiana may use the initials H.F.A. after the name. (*Indiana State Board of Health Facility Administrators; Rule 4; filed May 26, 1978, 9:09 a.m.: 1 IR 244*)

SECTION 3. UNDER IC 4-22-2.5-3, 840 IAC 1-1-4 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**840 IAC 1-1-4 Qualifications for licensure**

Authority: IC 25-19-1-4  
Affected: IC 25-19-1-3

Sec. 4. (a) All applicants for licensure as ~~a health facility administrator an H.F.A. before July 1, 2002,~~ must have completed, at the time of application, the requirements of IC 25-19-1-3(a)(1) and the following educational attainments and administrator-in-training programs:

- (1) Possession of a baccalaureate or higher degree in any subject from an accredited institution of higher learning approved by the board and completion of a required six (6) month administrator-in-training program. ~~or~~
- (2) Possession of an associate degree in long term care, health care administration, or equivalent from an accredited institution of higher learning approved by the board and completion of a required six (6) month administrator-in-training program. ~~or~~
- (3) Completion of a specialized course of study in long term health care administration approved by the board and completion of a required six (6) month administrator-in-training program.

(b) All applicants for licensure as an H.F.A. on or after July 1, 2002, must have completed, at the time of application, the requirements of IC 25-19-1-3(a)(1) and the following educational attainments and administrator-in-training programs:

- (1) Possession of a baccalaureate or higher degree from an accredited institution of higher learning approved by the board and completion of a required administrator-in-training program.
- (2) Possession of an associate degree in health care from an accredited institution of higher learning approved by the board, completion of a specialized course of study in

**long term health care administration approved by the board, and completion of a required administrator-in-training program.**

(~~b~~) (c) Applicants for licensure by endorsement as ~~a health facility administrator an H.F.A.~~ may request that the board consider previous experience to satisfy the requirements of subsection (a). Educational and A.I.T. requirements may be satisfied by two (2) years of **satisfactory active work** experience as a licensed health facility administrator in another state. Evidence must be presented to the board demonstrating competency of practice.

(~~c~~) (d) Applicants for licensure as ~~a health facility administrator an H.F.A.~~ may request that the board consider previous experience to satisfy the A.I.T. requirements of subsection (a). A.I.T. requirements may be satisfied by:

- (1) one (1) year of **active work** experience as a licensed ~~health facility administrator; or H.F.A.;~~
- (2) ~~an appropriate completion of a training program required for licensure as a health facility administrator an H.F.A. in another state or that is determined by the board to be equivalent to the A.I.T. requirements of this state;~~
- (3) ~~an appropriate completion of a residency-internship in health care administration completed as part of a degree requirement or of subsection (a)(1) and (a)(2), that is determined by the board to be equivalent to the A.I.T. requirements of this state;~~
- (4) one (1) year of **active work** experience as a chief executive officer or chief operations officer in a hospital; or
- (5) a masters degree in health care administration and six (6) months of **active work** experience as a licensed ~~health facility administrator H.F.A.~~ in another state.

(*Indiana State Board of Health Facility Administrators; Rule 5; filed May 26, 1978, 9:09 a.m.: 1 IR 244; filed May 2, 1985, 10:33 a.m.: 8 IR 1147; filed Sep 29, 1987, 2:08 p.m.: 11 IR 793; filed Dec 22, 1987, 2:36 p.m.: 11 IR 1604; errata filed Mar 25, 1991, 4:40 p.m.: 14 IR 1626; errata filed Jul 8, 1991, 5:00 p.m.: 14 IR 2066*)

SECTION 4. UNDER IC 4-22-2.5-3, 840 IAC 1-1-5 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**840 IAC 1-1-5 Application for license; interview**

Authority: IC 25-19-1-4  
Affected: IC 25-19-1-3; IC 25-19-1-5

Sec. 5. (a) An applicant for licensure as ~~a~~ **an** H.F.A. shall:

- (1) make application ~~therefor for licensure~~ in writing on forms provided by the board; and ~~shall~~
- (2) furnish evidence satisfactory to the board that the qualifying requirements have been met as provided for in the state licensing statutes and ~~840 IAC 1-1-4, section 4 of this rule.~~

(b) The board may designate a time and place at which an applicant may be required to appear for an interview at the

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discretion of the board. (*Indiana State Board of Health Facility Administrators; Rule 6; filed May 26, 1978, 9:09 a.m.: 1 IR 245; filed May 2, 1985, 10:33 a.m.: 8 IR 1148; filed Sep 29, 1987, 2:08 p.m.: 11 IR 794*)

SECTION 5. UNDER IC 4-22-2.5-3, 840 IAC 1-1-6 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

### 840 IAC 1-1-6 Examination

Authority: IC 25-19-1-4

Affected: IC 25-19-1-3

Sec. 6. (a) Every applicant for a license as a ~~an~~ H.F.A., after meeting the requirements for qualification as set forth in ~~840 IAC 1-1-4, section 4 of this rule,~~ shall pass successfully a written and/or oral examination at the discretion of the board ~~which that~~ shall include, but need not be limited to, the following:

- (1) Applicable standards of environmental health and safety.
- (2) Local health and safety regulation.
- (3) General administration.
- (4) Psychology of patient care.
- (5) Principles of medical care.
- (6) Pharmaceutical services and drug handling.
- (7) Personal and social care.
- (8) Therapeutic and supportive care and services in long term care.
- (9) Departmental organization and management.
- (10) Community interrelationships.

(b) Every applicant for a ~~an~~ H.F.A. license shall be required to pass the examination for such license with a grade established by the board in accordance with methods and procedures set up by the board.

(c) All applications for the examination must be complete in every respect, including accompanying data and the required fee, at least thirty (30) days prior to the examination for which application is being made. Any applicant whose application does not meet these requirements will not be permitted to take the examination. ~~The application and fee will be returned to the applicant and the application may be resubmitted, in accordance with these provisions, for the next regularly scheduled examination.~~

(d) ~~The licensure examination for H.F.A.s shall be given only in Indianapolis under the supervision of the board.~~

(e) (d) An applicant must complete successfully the licensure examination within one (1) calendar year from the time of notification of failure to pass the original exam. If an applicant fails the examination three (3) times, the following requirements must be met before submitting a new application for examination:

- (1) Submit proof of the completion of at least two hundred (200) contact hours of continuing education approved by the board. ~~and~~

(2) Submit a new application for entry into the administrator-in-training program. ~~and~~

(3) Submit an affidavit of completion of the remedial A.I.T. program.

In addition, the applicant shall meet all other licensing requirements in force and effect at the time of reapplication. (*Indiana State Board of Health Facility Administrators; Rule 7; filed May 26, 1978, 9:09 a.m.: 1 IR 246; filed May 18, 1979, 9:02 a.m.: 2 IR 842; filed May 2, 1985, 10:33 a.m.: 8 IR 1148; filed Sep 29, 1987, 2:08 p.m.: 11 IR 794*)

SECTION 6. UNDER IC 4-22-2.5-3, 840 IAC 1-1-11 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

### 840 IAC 1-1-11 Display of license

Authority: IC 25-19-1-4

Affected: IC 25-19-1

Sec. 11. ~~Display of License:~~ Every individual licensed as a H.F.A. shall display ~~such the~~ H.F.A.'s current license in a prominent location in that individual's principal office. (*Indiana State Board of Health Facility Administrators; Rule 12; filed May 26, 1978, 9:09 a.m.: 1 IR 247; filed Sep 29, 1987, 2:08 p.m.: 11 IR 795*)

SECTION 7. UNDER IC 4-22-2.5-3, 840 IAC 1-1-12 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

### 840 IAC 1-1-12 Duplicate licenses

Authority: IC 25-19-1-4

Affected: IC 25-19-1

Sec. 12. ~~Duplicate License:~~ Upon receipt of satisfactory evidence that a license has been lost, stolen, mutilated, or destroyed the board may issue a duplicate license upon ~~such compliance with~~ conditions as the board may prescribe and payment of a fee as determined by the board. (*Indiana State Board of Health Facility Administrators; Rule 13; filed May 26, 1978, 9:09 a.m.: 1 IR 247*)

SECTION 8. UNDER IC 4-22-2.5-3, 840 IAC 1-1-13 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

### 840 IAC 1-1-13 Educational institutions and courses; approval by board

Authority: IC 25-19-1-4

Affected: IC 25-19-1-8

Sec. 13. ~~Approval of Institutions and Courses of Study:~~ (A) Any course of study, offered by an educational institution, association, professional society, or organization for the purpose of qualifying an applicant for licensure ~~or for purposes of meeting continuing education requirements that may be adopted by the Board for licensed H.F.A.s,~~ must be approved by the board.

(B) ~~The Board does not accept or approve "educational~~

correspondence courses"; which it defines as material (lessons and examinations) delivered by mail to the residence and later returned to the institution. (*Indiana State Board of Health Facility Administrators; Rule 14; filed May 26, 1978, 9:09 a.m.: 1 IR 247*)

SECTION 9. UNDER IC 4-22-2.5-3, 840 IAC 1-1-14 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**840 IAC 1-1-14 Provisional licenses**

Authority: IC 25-19-1-4  
Affected: IC 25-19-1-3

Sec. 14. ~~Provisional License:~~ (a) An individual may be issued a provisional administrator's license if the individual has at least two (2) years of administrative experience in a licensed health facility H.F. and has complied with the conditions of IC 25-19-1-3(a)(1).

(b) Pursuant to the provisions of 840 IAC 1-1-14(a) Under subsection (a), the executive director of the board may issue a provisional license to an individual who appears to be qualified; however, this license will be subject to the approval of the board at its next following meeting, at which time the board may withdraw the provisional license if it determines that the licensee fails to meet all applicable qualifications for said license.

(c) Experienced gained under provisional licensure shall not satisfy the educational or A.I.T. requirements of ~~840 IAC 1-1-4(a):~~ **section 4(a) of this rule.** (*Indiana State Board of Health Facility Administrators; Rule 15; filed May 18, 1979, 9:02 a.m.: 2 IR 841; filed Sep 29, 1987, 2:08 p.m.: 11 IR 795*)

SECTION 10. UNDER IC 4-22-2.5-3, 840 IAC 1-1-15 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**840 IAC 1-1-15 Preceptor program for administrator-in-training**

Authority: IC 25-19-1-4  
Affected: IC 25-19-1-3; IC 25-19-1-8

Sec. 15. ~~A.I.T. & Preceptor Program:~~ (a) The A.I.T. shall acquire a working knowledge of health facility administration and shall be expected to become familiar with the following aspects of this management satisfactorily complete a course of instruction and training prescribed by the board, that shall include, but not be limited to, personnel, insurance, law, Medicare/Medicaid, accounting, maintenance, and physical plant, health and safety regulations, public and labor relations, patient activities, volunteer organization, dental and care, pastoral care, general management, medical records, nursing services, food service, therapies and aspects of aging, corporate compliance, social services, ethical conduct, abuse prohibition, standards of competent practice, information systems, laundry, and housekeeping. (*Indiana State Board of*

*Health Facility Administrators; Rule 16; filed May 18, 1979, 9:02 a.m.: 2 IR 841; filed Sep 12, 1985, 3:25 p.m.: 9 IR 285; filed Sep 29, 1987, 2:08 p.m.: 11 IR 795*)

SECTION 11. UNDER IC 4-22-2.5-3, 840 IAC 1-1-16 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**840 IAC 1-1-16 Qualifications and duties of administrator-in-training**

Authority: IC 25-19-1-4  
Affected: IC 25-19-1-3; IC 25-19-1-8

Sec. 16. (a) ~~Qualifications:~~ The A.I.T. shall:

(1) file an A.I.T. application with the board and be approved prior to starting the internship program; and (2) have met the requirements of ~~IC 25-19-1-3(a)~~ **IC 25-19-1-3(a)(1)** and the educational attainments of ~~840 IAC 1-1-4 section 4(a)~~ **of this rule** at the time the application is filed.

(b) ~~Responsibilities~~ The A.I.T. shall:

(1) shall observe and become familiar with the responsibilities and duties of the preceptor and A.I.T.; (2) shall file an A.I.T. application with the board and be approved prior to starting the internship program; (3) shall (2) be assigned responsibilities in each department, with experience on every shift, including weekends; (4) shall (3) not hold a position in the facility during the hours of the A.I.T. program; (5) shall (4) serve as an A.I.T. a minimum of forty (40) **thirty-two (32)** hours per week, but no more than ten (10) **eight (8)** hours daily; (6) may serve up to four (4) weeks of the internship in a setting other than the preceptor's facility; (7) shall (5) complete the program in a minimum of six (6) months and a maximum of ~~nine (9)~~ **twelve (12)** months for a minimum total of one thousand forty (1,040) hours; (8) shall (6) seek and accept instruction and assistance from preceptor; (9) shall (7) notify the board on suitable forms of any change of status or discontinuance of the A.I.T. program; and (10) shall (8) forward to the board at the end of the A.I.T. program an affidavit stating the requirements of the program have been fulfilled.

(c) The A.I.T. may serve up to four (4) weeks of the internship in a setting other than the preceptor's facility.

(~~e~~) (d) The health facility administrators board reserves the right to take appropriate action for failure of an A.I.T. to comply with the duties enumerated above. (*Indiana State Board of Health Facility Administrators; Rule 17; filed May 18, 1979, 9:02 a.m.: 2 IR 840; filed Sep 12, 1985, 3:25 p.m.: 9 IR 285; filed Sep 29, 1987, 2:08 p.m.: 11 IR 796*)

SECTION 12. UNDER IC 4-22-2.5-3, 840 IAC 1-1-17 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

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### 840 IAC 1-1-17 Qualifications and duties of preceptors

Authority: IC 25-19-1-8

Affected: IC 25-19-1-12

Sec. 17. (a) The applicant for approval as a preceptor shall file a new application for each A.I.T. applicant for whom the preceptor applicant desires to serve as a preceptor.

(b) In order to qualify as a preceptor, the applicant shall:

- (1) ~~Must~~ be a currently licensed Indiana H.F.A.;
  - (2) ~~Must complete and forward to file an application with the board a preceptor application for approval and be approved prior to serving as the preceptor;~~
  - (3) ~~Must~~ have attended, within the five (5) years prior to applying to serve as a preceptor, a board approved educational seminar. A preceptor's certificate will be awarded by the board to those persons completing this conference program and forward to the board a certificate of completion;
  - (4) Prior to serving as a preceptor an administrator will have been practicing health facility administration active work experience as an H.F.A. for at least two (2) out of the immediate preceding three (3) years prior to the date of application; and
  - (5) While serving as a preceptor, the administrator shall spend a majority of the required work hours during normal daytime business hours in the facility where training is to occur, except as deemed necessary to accommodate special situations or emergencies.
- (5) not have any disciplinary action taken by the board against H.F.A. license in the last two (2) years.

(b) ~~The~~ (c) Each approved preceptor shall:

- (1) ~~Shall~~ act as a teacher rather than an employer and should provide the A.I.T. with educational opportunities;
- (2) ~~May not supervise more than one A.I.T. at any given time, except at the discretion of the board.~~
- (3) ~~Shall~~ (2) inform the board if the A.I.T. presents any problems which that may affect the facility's service and operation, or the A.I.T.'s program;
- (4) ~~Shall~~ (3) notify the board on suitable forms of any change of status or discontinuance of the A.I.T. program;
- (5) ~~Shall~~ (4) submit to the board at the completion of the program an affidavit, as prescribed by the board, stating that the requirements of the A.I.T./preceptor program as stated in section 15 of this rule have been met;
- (6) ~~Shall insure~~ (5) ensure that the records of A.I.T. programs are maintained for a period of five (5) years, during which time the board may request review of these records; and
- (6) spend a majority of the required work hours during normal daytime business hours in the facility where training is to occur, except as deemed necessary to accommodate special situations or emergencies.

(c) (d) The health facility administrators board reserves the

right to take appropriate action for failure of a preceptor to comply with the duties enumerated above.

(e) A preceptor may not supervise more than one (1) A.I.T. at any given time, except at the discretion of the board.

(f) The preceptor approval expires when the A.I.T. applicant completes the course of instruction and training prescribed by the board or fails to complete the requirements of section 16 of this rule. (*Indiana State Board of Health Facility Administrators; Rule 18; filed May 18, 1979, 9:02 a.m.: 2 IR 843; filed Dec 31, 1981, 8:55 a.m.: 5 IR 398; filed Sep 12, 1985, 3:25 p.m.: 9 IR 286; filed Sep 29, 1987, 2:08 p.m.: 11 IR 796*)

SECTION 13. UNDER IC 4-22-2.5-3, 840 IAC 1-1-18 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

### 840 IAC 1-1-18 Temporary permits

Authority: IC 25-19-1-3.5; IC 25-19-1-8

Affected: IC 25-19-1-3.5

Sec. 18. Persons holding a valid H.F.A. license in another state who seek licensure by endorsement in Indiana may be granted a temporary permit. Applicants for a temporary permit will be required to take the first available examination for licensure within ninety (90) days of its issuance. In addition to the provisions of IC 25-19-1-3.5, temporary permits of applicants who fail to appear for the scheduled examination will be invalidated. If the applicant presents compelling reasons to the board in writing for missing the scheduled examination, the board may allow the applicant to submit a new application for temporary permit. (*Indiana State Board of Health Facility Administrators; 840 IAC 1-1-18; filed Dec 22, 1987, 2:37 p.m.: 11 IR 1603*)

SECTION 14. UNDER IC 4-22-2.5-3, 840 IAC 1-2-1 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

### 840 IAC 1-2-1 Continuing education; credit requirements

Authority: IC 25-19-1-4

Affected: IC 25-19-1

Sec. 1. (a) A health facility administrator An H.F.A. who is not currently or previously licensed in another state, is not required to complete the continuing education requirements for the two (2) year licensing period in which the practitioner's license is was issued.

(b) Effective January 1, 1986, when a licensed administrator applies for renewal of license, proof must be submitted to the board that said administrator has completed An H.F.A. must complete at least forty (40) continuing education hours during the previous two (2) year licensing period.

(c) If a health facility administrator an H.F.A. attends an

approved program in another state with a mandatory continuing education requirement, the board will accept the approved hours.

(d) Continuing education credit may not be carried over from one (1) biennial licensure renewal period to another.

(e) The forty (40) hours biennial continuing education requirement shall not be increased or decreased unless this section is duly amended and all licensees are notified in writing at the date of license renewal that the following renewal will require an increased or decreased number of hours of continuing education.

(f) The continuing education requirement ~~may~~ **shall** be satisfied by participating in ~~the following types of programs which that~~ must be conducted by a board approved sponsor.

~~(1) Educational programs presented by state and professional organizations related to the practice of health facility administration:~~

~~(2) Lectures, seminars, or workshops, live or telecast, if the educational program is relevant to the practice of health facility administration:~~

~~(3)~~ (g) Continuing education courses offered by accredited colleges if the course content pertains to the practice of health facility administration.

(4) Accredited college courses related to the practice of health facility administration. Proof of completion of the course, including the grade earned and the college credit earned, or a statement from the college that the course was audited, must be submitted with the renewal application. The following conversion will be used for continuing education credit:

~~(A)~~ (1) One (1) semester hour equals fifteen (15) contact hours.

~~(B)~~ (2) One (1) quarter hour equals ten (10) contact hours. *(Indiana State Board of Health Facility Administrators; 840 IAC 1-2-1; filed Jan 5, 1984, 2:33 p.m.: 7 IR 577; filed Sep 29, 1987, 2:08 p.m.: 11 IR 797; filed Feb 14, 1991, 1:30 p.m.: 14 IR 1438)*

SECTION 15. UNDER IC 4-22-2.5-3, 840 IAC 1-2-2 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

#### **840 IAC 1-2-2 Verification of attendance**

Authority: IC 25-19-1-4

Affected: IC 25-19-1

Sec. 2. (a) ~~Documentation of~~ **The H.F.A. shall retain copies of certificates of completion for continuing education attendance will be submitted by the licensee at the time of renewal on a form supplied by the board: courses for three (3) years from the end of the licensing period for which the continuing education applied. The H.F.A. shall provide the board with copies of the certificates of completion upon the board's request for a compliance audit.**

(b) Approved **continuing education** sponsors must retain the attendance records for a period of five (5) years, during which time the board may request review of these records. *(Indiana State Board of Health Facility Administrators; 840 IAC 1-2-2; filed Jan 5, 1984, 2:33 p.m.: 7 IR 577; filed Feb 14, 1991, 1:30 p.m.: 14 IR 1439)*

SECTION 16. UNDER IC 4-22-2.5-3, 840 IAC 1-2-4 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

#### **840 IAC 1-2-4 Approval of sponsor; responsibility**

Authority: IC 25-19-1-4

Affected: IC 25-19-1

Sec. 4. (a) Sponsors of programs must ~~submit written request for approval to offer continuing education programs file application with the board and be approved~~ at least thirty (30) days prior to the date of the first presentation.

(b) The written request shall be on a form provided by the board and shall include the following:

(1) Name of sponsor:

(2) Address of sponsor:

(3) Telephone number of sponsor:

(4) Types of programs to be offered:

(5) Description of evaluation technique which will be utilized for programs offered:

(6) Sample of certificate to be awarded for completion of programs:

~~(c)~~ (b) The sponsor is responsible for monitoring attendance of programs in such a way that verification of attendance throughout the program can be reliably assured.

~~(d)~~ (c) Approval of a sponsor will be valid for a maximum period of one (1) year. All approvals expire on January 31 of each year.

~~(e)~~ (d) Under extenuating circumstances, the board may approve an application for a sponsor of continuing education programs which did not meet the thirty (30) day submission requirement. Such cases will be considered on an individual basis only. *(Indiana State Board of Health Facility Administrators; 840 IAC 1-2-4; filed Jan 5, 1984, 2:33 p.m.: 7 IR 577; filed Feb 14, 1991, 1:30 p.m.: 14 IR 1439)*

SECTION 17. UNDER IC 4-22-2.5-3, 840 IAC 1-2-5 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

#### **840 IAC 1-2-5 Exemptions**

Authority: IC 25-19-1-4

Affected: IC 25-19-1

Sec. 5. ~~(a)~~ Licensees who fail to comply with ~~840 IAC 1-2~~ **this rule** shall not be issued a renewal license, except for the following exemptions:

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## Readopted Rules

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(1) a health facility administrator **An H.F.A.** who holds a valid license, but submits a statement from a physician or surgeon stating that the licensee is unable to practice due to illness or physical disability.

(2) a health facility administrator **An H.F.A.** on active military duty.

*(Indiana State Board of Health Facility Administrators; 840 IAC 1-2-5; filed Jan 5, 1984, 2:33 p.m.: 7 IR 578; filed Sep 29, 1987, 2:08 p.m.: 11 IR 797)*

SECTION 18. UNDER IC 4-22-2.5-3, 840 IAC 1-2-6 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

### **840 IAC 1-2-6 Persons exempt from fee**

Authority: IC 25-19-1-4

Affected: IC 25-19-1

Sec. 6. (a) The Indiana state board of health facility administrators **H.F.A.** shall exempt the following from payment of a fee for continuing education sponsorship:

(1) Any state or federal agency.

(2) Any state funded school.

(b) Exemption from payment of a fee for continuing education sponsorship does not relieve the sponsor of any other requirements or duties prescribed by law. *(Indiana State Board of Health Facility Administrators; 840 IAC 1-2-6; filed May 2, 1985, 10:33 a.m.: 8 IR 1150; filed Sep 29, 1987, 2:08 p.m.: 11 IR 797; filed Feb 14, 1991, 1:30 p.m.: 14 IR 1439)*

SECTION 19. UNDER IC 4-22-2.5-3, 840 IAC 1-2-7 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

### **840 IAC 1-2-7 Administrator-in-training program; preceptor experience credit**

Authority: IC 25-19-1-4

Affected: IC 25-19-1-3; IC 25-19-1-8

Sec. 7. Two (2) credit hours of continuing education will be granted for each complete month a person **an H.F.A.** has served as preceptor for an approved A.I.T. program. *(Indiana State Board of Health Facility Administrators; 840 IAC 1-2-7; filed Sep 12, 1985, 3:25 p.m.: 9 IR 286; filed Sep 29, 1987, 2:08 p.m.: 11 IR 798)*

SECTION 20. 840 IAC 1-1-1 IS REPEALED.

### **Notice of Public Hearing**

*Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on December 4, 2001 at 10:45 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room A, Indianapolis, Indiana the Indiana State Board of Health Facility Administrators will hold a public hearing to readopt rules.*

*Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:*

*Tonja Thompson, Director  
Indiana State Board of Health Facility Administrators  
Health Professions Bureau  
402 West Washington Street, Room W041  
Indianapolis, Indiana 46204.*

*Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W041 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Lisa R. Hayes  
Executive Director  
Health Professions Bureau

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## **TITLE 844 MEDICAL LICENSING BOARD OF INDIANA**

LSA Document #01-220

### **DIGEST**

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

**844 IAC 4-3**  
**844 IAC 4-7-1**  
**844 IAC 4-7-2**

**844 IAC 4-7-3**  
**844 IAC 4-7-4**

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

844 IAC 4-3 Definitions and Exclusions  
844 IAC 4-7-1 "SPEX" defined  
844 IAC 4-7-2 Purpose of "SPEX"  
844 IAC 4-7-3 Requirements to take "SPEX"  
844 IAC 4-7-4 "SPEX" passing scores

### **Notice of Public Hearing**

*Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on December 6, 2001 at 10:15 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Rooms 4 and 5, Indianapolis, Indiana the Medical Licensing Board of Indiana will hold a public hearing to readopt rules.*

*Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments by electronic mail to [ajones@hpb.state.in.us](mailto:ajones@hpb.state.in.us) or by mail to:*

*Angela Smith Jones, Director  
Medical Licensing Board of Indiana  
402 West Washington Street, Room W041  
Indianapolis, Indiana 46204.*

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## Readopted Rules

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*Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W041 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Lisa R. Hayes  
Executive Director  
Health Professions Bureau

844 IAC 4-6-4 Mandatory renewal; fees  
844 IAC 4-6-6 Mandatory renewal; failure to register  
844 IAC 4-6-7 Practice after suspension  
844 IAC 4-6-9 Inactive status  
844 IAC 4-6-10 Probation, suspension, or revocation

### **Notice of Public Hearing**

*Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on December 6, 2001 at 10:20 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Rooms 4 and 5, Indianapolis, Indiana the Medical Licensing Board of Indiana will hold a public hearing to readopt rules.*

*Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments by electronic mail to [ajones@hpb.state.in.us](mailto:ajones@hpb.state.in.us) or by mail to:*

*Angela Smith Jones, Director  
Medical Licensing Board of Indiana  
402 West Washington Street, Room W041  
Indianapolis, Indiana 46204.*

*Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W041 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Lisa R. Hayes  
Executive Director  
Health Professions Bureau

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## **TITLE 844 MEDICAL LICENSING BOARD OF INDIANA**

LSA Document #01-312

### **DIGEST**

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

**844 IAC 4-6-1**                      **844 IAC 4-6-7**  
**844 IAC 4-6-3**                      **844 IAC 4-6-9**  
**844 IAC 4-6-4**                      **844 IAC 4-6-10**  
**844 IAC 4-6-6**

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

844 IAC 4-6-1 Mandatory renewal; time  
844 IAC 4-6-3 Mandatory renewal; oath

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## Readopted Rules

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### TITLE 80 STATE FAIR COMMISSION

LSA Document #01-126(F)

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

**80 IAC 1**                                **80 IAC 4**  
**80 IAC 2**                                **80 IAC 5**  
**80 IAC 3**                                **80 IAC 6**

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

80 IAC 1 PROCUREMENT OF PROPERTY  
80 IAC 2 REAL PROPERTY CONTRACTING PROCEDURES  
80 IAC 3 DISPOSAL OF PROPERTY  
80 IAC 4 GENERAL OPERATIONS  
80 IAC 5 INDIANA STATE FAIR COMMISSION CODE OF ETHICS  
80 IAC 6 PERSONNEL POLICIES AND PROCEDURES

*LSA Document #01-126(F)*

*Intent to Readopt Rules Published: May 1, 2001; 24 IR 2564*  
*Proposed Readopted Rules Published: August 1, 2001; 24 IR 3789*  
*Hearing Held: August 27, 2001*  
*Filed with Secretary of State: September 11, 2001, 2:45 p.m.*

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### TITLE 431 COMMUNITY RESIDENTIAL FACILITIES COUNCIL

LSA Document #00-298(F)

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with secretary of state.

**431 IAC 1.1**                                **431 IAC 4**  
**431 IAC 2.1**                                **431 IAC 5**  
**431 IAC 3.1**                                **431 IAC 6**

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

431 IAC 1.1 COMMUNITY RESIDENTIAL FACILITIES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES  
431 IAC 2.1 SUPERVISED GROUP LIVING FACILITIES FOR INDIVIDUALS WITH MENTAL ILLNESS

431 IAC 3.1 FIRE AND LIFE SAFETY STANDARDS FOR COMMUNITY RESIDENTIAL FACILITIES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES AND PERSONS WITH MENTAL ILLNESS

431 IAC 4 FIRE AND LIFE SAFETY STANDARDS FOR COMMUNITY RESIDENTIAL FACILITIES LOCATED IN APARTMENT BUILDINGS FOR PERSONS WITH DEVELOPMENTAL DISABILITIES AND PERSONS WITH MENTAL ILLNESS

431 IAC 5 SUPERVISED GROUP LIVING FACILITIES FOR CHILDREN

431 IAC 6 FIRE AND LIFE SAFETY STANDARDS FOR COMMUNITY RESIDENTIAL FACILITIES FOR PERSONS WITH MENTAL ILLNESS—CONGREGATE LIVING

*LSA Document #00-298(F)*

*Intent to Readopt Rules Published: January 1, 2001; 24 IR 1126*  
*Proposed Readopted Rules Published: March 1, 2001; 24 IR 1948*  
*Hearing Held: April 4, 2001*  
*Filed with Secretary of State: October 1, 2001, 3:40 p.m.*

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### TITLE 460 DIVISION OF DISABILITY, AGING, AND REHABILITATIVE SERVICES

LSA Document #00-301(F)

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with secretary of state.

**460 IAC 1-4**  
**460 IAC 1-5**  
**460 IAC 1-6**

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

460 IAC 1-4 Community and Home Options to Institutional Care for the Elderly and Disabled Program  
460 IAC 1-5 Adult Guardianship Services Program  
460 IAC 1-6 Alzheimer's Disease and Related Senile Dementia Program

*LSA Document #00-301(F)*

*Intent to Readopt Rules Published: January 1, 2001; 24 IR 1127*  
*Proposed Readopted Rules Published: March 1, 2001; 24 IR 1961*  
*Hearing Held: April 4, 2001*  
*Filed with Secretary of State: October 1, 2001, 3:38 p.m.*

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## Readopted Rules

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### TITLE 515 PROFESSIONAL STANDARDS BOARD

LSA Document #01-97(F)

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

#### 515 IAC 1

#### 515 IAC 2

SECTION 1. UNDER 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

- 515 IAC 1 TEACHER TRAINING AND LICENSING: REQUIREMENTS FOR EDUCATION BEGUN AFTER ACADEMIC YEAR 1977-78
- 515 IAC 2 ENDORSEMENT OF SCHOOL PSYCHOLOGISTS AS INDEPENDENT PRACTICE SCHOOL PSYCHOLOGISTS

*LSA Document #01-97(F)*

*Intent to Readopt Rules Published: April 1, 2001; 24 IR 2201  
Proposed Readopted Rules Published: June 1, 2001; 24 IR 2892*

*Hearing Held: July 9, 2001*

*Filed with Secretary of State: September 25, 2001, 9:43 a.m.*

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### TITLE 560 INDIANA EDUCATION EMPLOYMENT RELATIONS BOARD

LSA Document #01-119(F)

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

#### 560 IAC 2

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING IS READOPTED:

#### 560 IAC 2 GENERAL PROVISIONS

*LSA Document #01-119(F)*

*Intent to Readopt Rules Published: May 1, 2001; 24 IR 2564  
Proposed Readopted Rules Published: July 1, 2001; 24 IR 3222  
Hearing Held: August 22, 2001  
Filed with Secretary of State: September 12, 2001, 10:55 a.m.*

### TITLE 585 STATE STUDENT ASSISTANCE COMMISSION

LSA Document #01-147(F)

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

#### 585 IAC 1-9-13

#### 585 IAC 5-3-1

#### 585 IAC 5-3-2

#### 585 IAC 5-3-3

#### 585 IAC 5-3-4

#### 585 IAC 5-3-5

#### 585 IAC 5-3-7

#### 585 IAC 5-4-2

#### 585 IAC 5-5-1

#### 585 IAC 5-5-2

#### 585 IAC 5-5-3

#### 585 IAC 5-5-4

#### 585 IAC 5-5-5

#### 585 IAC 5-5-7

#### 585 IAC 8-1-1

#### 585 IAC 8-1-3

#### 585 IAC 8-1-7

#### 585 IAC 8-1-8

#### 585 IAC 8-1-10

#### 585 IAC 8-2-6

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

- 585 IAC 1-9-13 Fraud and misrepresentation
- 585 IAC 5-3-1 Employee displacement
- 585 IAC 5-3-2 Compensation rate
- 585 IAC 5-3-3 Student compensation; state share
- 585 IAC 5-3-4 Student compensation; employer share
- 585 IAC 5-3-5 Academic credit
- 585 IAC 5-3-7 Types of work prohibited
- 585 IAC 5-4-2 Reallotments
- 585 IAC 5-5-1 Administering agency
- 585 IAC 5-5-2 Reports
- 585 IAC 5-5-3 Agreement to participate
- 585 IAC 5-5-4 Appeals
- 585 IAC 5-5-5 Program reviews
- 585 IAC 5-5-7 Matching funds
- 585 IAC 8-1-1 Applicability
- 585 IAC 8-1-3 "Commission" defined
- 585 IAC 8-1-7 "Private tuition cap" defined
- 585 IAC 8-1-8 "Program" defined
- 585 IAC 8-1-10 "Program applicant" defined
- 585 IAC 8-2-6 Prospective rules

*LSA Document #01-147(F)*

*Intent to Readopt Rules Published: June 1, 2001; 24 IR 2855  
Proposed Readopted Rules Published: August 1, 2001; 24 IR 3791*

*Hearing Held: September 6, 2001*

*Filed with Secretary of State: September 28, 2001, 4:04 p.m.*

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### TITLE 675 FIRE PREVENTION AND BUILDING

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## Readopted Rules

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### SAFETY COMMISSION

LSA Document #00-303(F)

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

<b>675 IAC 12</b>	<b>675 IAC 19-3</b>
<b>675 IAC 13-1-21</b>	<b>675 IAC 20</b>
<b>675 IAC 13-1-22</b>	<b>675 IAC 21</b>
<b>675 IAC 13-1-27</b>	<b>675 IAC 23</b>
<b>675 IAC 15-1</b>	<b>675 IAC 24</b>

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

#### 675 IAC 12 ADMINISTRATION

675 IAC 13-1-21 NFPA 61B

675 IAC 13-1-22 NFPA 82

675 IAC 13-1-27 NFPA 37; standard for the installation and use of stationary combustion engines and gas turbines

675 IAC 15-1 Special Administrative Rules for Industrialized Building Systems and Mobile Structures

675 IAC 19-3 Indiana Energy Conservation Code, 1992 Edition

#### 675 IAC 20 SWIMMING POOL CODE

675 IAC 21 SAFETY CODES FOR ELEVATORS, ESCALATORS, MANLIFTS, AND HOISTS

675 IAC 23 RECREATIONAL FACILITIES

675 IAC 24 SUPPLEMENTARY FIRE SAFETY RULES

*LSA Document #00-303(F)*

*Intent to Readopt Rules Published: January 1, 2001; 24 IR 1128*

*Proposed Readopted Rules Published: March 1, 2001; 24 IR 1962*

*Hearing Held: June 5, 2001*

*Filed with Secretary of State: September 11, 2001, 2:49 p.m.*

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### TITLE 760 DEPARTMENT OF INSURANCE

LSA Document #01-130(F)

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

<b>760 IAC 1-1</b>	<b>760 IAC 2-1</b>
<b>760 IAC 1-3</b>	<b>760 IAC 2-2</b>
<b>760 IAC 1-5</b>	<b>760 IAC 2-3</b>
<b>760 IAC 1-6.2</b>	<b>760 IAC 2-4</b>
<b>760 IAC 1-7</b>	<b>760 IAC 2-5</b>
<b>760 IAC 1-8</b>	<b>760 IAC 2-6</b>
<b>760 IAC 1-9</b>	<b>760 IAC 2-7</b>
<b>760 IAC 1-10</b>	<b>760 IAC 2-8</b>
<b>760 IAC 1-11</b>	<b>760 IAC 2-9</b>
<b>760 IAC 1-12</b>	<b>760 IAC 2-10</b>
<b>760 IAC 1-13</b>	<b>760 IAC 2-11</b>
<b>760 IAC 1-14</b>	<b>760 IAC 2-12</b>
<b>760 IAC 1-15.1</b>	<b>760 IAC 2-13</b>
<b>760 IAC 1-16.1</b>	<b>760 IAC 2-14</b>
<b>760 IAC 1-18</b>	<b>760 IAC 2-15</b>
<b>760 IAC 1-19</b>	<b>760 IAC 2-16</b>
<b>760 IAC 1-20</b>	<b>760 IAC 2-17</b>
<b>760 IAC 1-21</b>	<b>760 IAC 2-18</b>
<b>760 IAC 1-23</b>	<b>760 IAC 2-19</b>
<b>760 IAC 1-24</b>	<b>760 IAC 2-20</b>
<b>760 IAC 1-27</b>	<b>760 IAC 3-1</b>
<b>760 IAC 1-31</b>	<b>760 IAC 3-2</b>
<b>760 IAC 1-32</b>	<b>760 IAC 3-3</b>
<b>760 IAC 1-33</b>	<b>760 IAC 3-4</b>
<b>760 IAC 1-34</b>	<b>760 IAC 3-5</b>
<b>760 IAC 1-35</b>	<b>760 IAC 3-6</b>
<b>760 IAC 1-36</b>	<b>760 IAC 3-7</b>
<b>760 IAC 1-37</b>	<b>760 IAC 3-8</b>
<b>760 IAC 1-38.1</b>	<b>760 IAC 3-9</b>
<b>760 IAC 1-39</b>	<b>760 IAC 3-10</b>
<b>760 IAC 1-40</b>	<b>760 IAC 3-11</b>
<b>760 IAC 1-41</b>	<b>760 IAC 3-12</b>
<b>760 IAC 1-46</b>	<b>760 IAC 3-13</b>
<b>760 IAC 1-48</b>	<b>760 IAC 3-14</b>
<b>760 IAC 1-49</b>	<b>760 IAC 3-15</b>
<b>760 IAC 1-51</b>	<b>760 IAC 3-16</b>
<b>760 IAC 1-52</b>	<b>760 IAC 3-17</b>
<b>760 IAC 1-53</b>	<b>760 IAC 3-18</b>
<b>760 IAC 1-54</b>	<b>760 IAC 3-19</b>
<b>760 IAC 1-55</b>	<b>760 IAC 3-20</b>
<b>760 IAC 1-56</b>	

SECTION 1. UNDER 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

760 IAC 1-1	Automobile Liability Insurance – Policy Form
760 IAC 1-3	Domestic Stock Insurance Companies – Organization, Promotion and Capital Enlargement
760 IAC 1-5	Credit Life, Accident and Health Insurance – Premium Rates and Refunds
760 IAC 1-6.2	Bail Agents and Recovery Agents
760 IAC 1-7	Segregated Investment Account Contracts
760 IAC 1-8	Accident and Sickness Insurance – “Noncancellable” and “Guaranteed Renewable” Insurance Defined
760 IAC 1-9	Accident and Sickness Insurance – Valuation

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## Readopted Rules

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- of Individual Policies
- 760 IAC 1-10 Life, Accident and Sickness Insurance – Assessment Plan Insurance Policies
- 760 IAC 1-11 Domestic Stock Insurance Companies – Proxies, and Consents and Authorizations
- 760 IAC 1-12 Domestic Stock Insurance Companies – Insider Trading of Equity Securities
- 760 IAC 1-13 Solicitation and Sale of Specialty and Other Life Insurance and Annuities
- 760 IAC 1-14 Credit Life, Accident and Health Insurance – Compensation to Creditors and Agents
- 760 IAC 1-15.1 Insurance Holding Company Systems
- 760 IAC 1-16.1 Replacement of Existing Life Insurance Policies
- 760 IAC 1-18 Accident and Sickness Insurance – Advertising
- 760 IAC 1-19 Group Accident and Sickness Insurance – Succeeding Carrier Requirements
- 760 IAC 1-20 Individual Deferred Annuity Policies and Riders
- 760 IAC 1-21 Medical Malpractice Insurance
- 760 IAC 1-23 Accident and Sickness Insurance – Claim Forms
- 760 IAC 1-24 Life Insurance Solicitation
- 760 IAC 1-27 Examination and License Fee
- 760 IAC 1-31 Arson Investigation Financial Assistance Fund and Arson Protection and Education Fund
- 760 IAC 1-32 Blended Mortality Tables
- 760 IAC 1-33 Variable Life Insurance
- 760 IAC 1-34 Unfair Discrimination on the Basis of Blindness or Partial Blindness
- 760 IAC 1-35 New Annuity Mortality Tables
- 760 IAC 1-36 Smoker/Nonsmoker Mortality Tables
- 760 IAC 1-37 Political Subdivision Risk Management Fund
- 760 IAC 1-38.1 Group Coordination of Benefits
- 760 IAC 1-39 AIDS Questioning, Testing and Coverage
- 760 IAC 1-40 Agent Prelicensing Study Program
- 760 IAC 1-41 Insurance Administrators
- 760 IAC 1-46 Registration of Utilization Review Agents
- 760 IAC 1-48 Standards for Accelerated Benefit Provisions of Individual and Group Life Insurance Policies and Required Disclosures
- 760 IAC 1-49 Registration of Medical Claims Review Agents
- 760 IAC 1-51 Procedures for Reinsurance Intermediaries
- 760 IAC 1-52 Managing General Agents; Procedures
- 760 IAC 1-53 Standards for Companies Deemed to be in Hazardous Financial Condition
- 760 IAC 1-54 Limitations on Investments in Subsidiaries
- 760 IAC 1-55 Life and Accident and Health Insurers; Reinsurance Agreements
- 760 IAC 1-56 Credit for Reinsurance
- 760 IAC 2-1 General Provisions
- 760 IAC 2-2 Definitions
- 760 IAC 2-3 Policy Practices and Provisions
- 760 IAC 2-4 Required Disclosure Provisions
- 760 IAC 2-5 Prohibition Against Post-Claims Underwriting
- 760 IAC 2-6 Home Health Care Benefits in Long Term Care Insurance Policies
- 760 IAC 2-7 Inflation Protection Offer
- 760 IAC 2-8 Application Forms and Replacement Coverage
- 760 IAC 2-9 Reporting Requirements
- 760 IAC 2-10 Licensing
- 760 IAC 2-11 Discretionary Powers of the Commissioner
- 760 IAC 2-12 Reserve Standards
- 760 IAC 2-13 Loss Ratio
- 760 IAC 2-14 Filing Requirements
- 760 IAC 2-15 Marketing
- 760 IAC 2-16 Purchase or Replacement
- 760 IAC 2-17 Outline of Coverage
- 760 IAC 2-18 Shopper's Guide
- 760 IAC 2-19 Penalties
- 760 IAC 2-20 Indiana Long Term Care Program
- 760 IAC 3-1 General Provisions
- 760 IAC 3-2 Definitions
- 760 IAC 3-3 Policy Definitions and Terms
- 760 IAC 3-4 Policy Provisions
- 760 IAC 3-5 Minimum Benefit Standards
- 760 IAC 3-6 Benefit Standards
- 760 IAC 3-7 Standard Medicare Supplement Benefit Plans
- 760 IAC 3-8 Medicare Select Policies and Certificates
- 760 IAC 3-9 Open Enrollment
- 760 IAC 3-10 Standards for Claims Payment
- 760 IAC 3-11 Loss Ratio Standards and Refund or Credit of Premium
- 760 IAC 3-12 Filing and Approval of Policies and Certificates and Premium Rates
- 760 IAC 3-13 Permitted Compensation Arrangements
- 760 IAC 3-14 Required Disclosure Provisions
- 760 IAC 3-15 Requirements for Application Forms and Replacement Coverage
- 760 IAC 3-16 Filing Requirements for Advertising
- 760 IAC 3-17 Standards for Marketing
- 760 IAC 3-18 Recommended Purchase and Excessive Insurance
- 760 IAC 3-19 Prohibition Against Preexisting Conditions, Waiting Periods, Elimination Periods, and Probation
- 760 IAC 3-20 Separability

*LSA Document #01-130(F)*

*Intent to Readopt Rules Published: May 1, 2001; 24 IR 2565*

*Proposed Readopted Rules Published: July 1, 2001; 24 IR 3223*

*Hearing Held: August 1, 2001*

*Filed with Secretary of State: September 14, 2001, 12:22 p.m.*

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### TITLE 832 STATE BOARD OF FUNERAL AND CEMETERY SERVICE

LSA Document #01-56(F)

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on Decem-

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## Readopted Rules

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ber 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

### 832 IAC 3-2-2

SECTION 1. UNDER IC 4-22-2.5-3, 832 IAC 3-2-2 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

### 832 IAC 3-2-2 Recognized funeral service intern examination

Authority: IC 25-15-9-9

Affected: IC 25-15-4-2

Sec. 2. (a) An examination conducted by a person other than the board consisting of at least five hundred (500) questions concerning funeral service may satisfy the funeral service intern examination requirement under section 1 of this rule, provided the examination is preapproved by the board and conducted by a nationally recognized testing service which that is under contract with the boards of at least three (3) other states to provide testing and grading in the field of funeral service.

(b) The examination shall consist of two (2) parts, one concerning funeral service science and the other concerning funeral service arts. To pass the examination, an individual must obtain a score of seventy-five percent (75%) or higher for the total examination. If, however, the individual scores less than seventy percent (70%) on either part of the examination, the individual will fail the examination. A score of at least seventy-five percent (75%) is required to pass a retake of either section of the examination. (*State Board of Funeral and Cemetery Service; 832 IAC 3-2-2; filed Mar 13, 1987, 8:30 a.m.: 10 IR 1701; filed Jun 8, 1989, 4:45 p.m.: 12 IR 1901; readopted filed Oct 3, 2001, 9:50 a.m.: 25 IR 520*)

*LSA Document #01-56(F)*

*Intent to Readopt Rules Published: March 1, 2001; 24 IR 1946*

*Proposed Readopted Rules Published: July 1, 2001; 24 IR 3225*

*Hearing Held: August 2, 2001*

*Approved by Attorney General: September 21, 2001*

*Approved by Governor: October 2, 2001*

*Filed with Secretary of State: October 3, 2001, 9:50 a.m.*

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### TITLE 844 MEDICAL LICENSING BOARD OF INDIANA

LSA Document #01-41(F)

#### DIGEST

Readopts rules in anticipation of IC 4-22-22.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

844 IAC 11-1-1

844 IAC 11-1-3

844 IAC 11-1-4

844 IAC 11-1-5

844 IAC 11-1-6

844 IAC 11-4-1

844 IAC 11-4-2

844 IAC 11-4-3

844 IAC 11-4-4

844 IAC 11-4-7

844 IAC 11-4-9

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

844 IAC 11-1-1 Applicability

844 IAC 11-1-3 "Bureau" defined

844 IAC 11-1-4 "Direct supervision" defined

844 IAC 11-1-5 "Physician" defined

844 IAC 11-1-6 "Professional incompetence" defined

844 IAC 11-4-1 Applicability

844 IAC 11-4-2 Confidentiality

844 IAC 11-4-3 Information to patient

844 IAC 11-4-4 Reasonable care

844 IAC 11-4-7 Referral fees

844 IAC 11-4-9 Patient complaints

*LSA Document #01-41(F)*

*Intent to Readopt Rules Published: March 1, 2001; 24 IR 1947*

*Proposed Readopted Rules Published: June 1, 2001; 24 IR 2892*

*Hearing Held: August 23, 2001*

*Filed with Secretary of State: September 28, 2001, 4:00 p.m.*

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### TITLE 856 INDIANA BOARD OF PHARMACY

LSA Document #00-323(F)

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

856 IAC 1-7-1

856 IAC 1-7-2

856 IAC 1-7-3

856 IAC 1-7-4

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

856 IAC 1-7-1 Change of pharmacy ownership

856 IAC 1-7-2 Application for permit to conduct pharmacy

856 IAC 1-7-3 Relocation of pharmacy

856 IAC 1-7-4 Licensed permit required for each pharmacy

*LSA Document #00-323(F)*

*Intent to Readopt Rules Published: January 1, 2001; 24 IR 1131*

*Proposed Readopted Rules Published: May 1, 2001; 24 IR 2581*

*Hearing Held: April 9, 2001 AND June 11, 2001*

*Filed with Secretary of State: September 14, 2001, 3:04 p.m.*